

REMARKS

Claims 1, 4-12, 15, 17-25, 31, 35, 38, 41 and 133-141 are pending in the application prior to entry of amendments submitted herewith. By amendment herewith, Claim 138 is being changed. All amendments are made without prejudice to or disclaimer or dedication of any subject matter.

The only issue raised in the Office Action of December 29, 2005 is a requirement under 35 U.S.C. §121 for species election for pharmaceutical substance and biocompatible polymer. For the pharmaceutical substance, N-acetylcysteine is hereby elected. The claims readable on that elected specie, are all pending claims, namely Claims 1, 4-12, 15, 17-25, 31, 35, 38, 41 and 133-141. For the biocompatible polymer, polyoxyalkylene block copolymer comprising two blocks of a first polyoxyalkylene of polyoxyethylene and one block of a second polyoxyalkylene of polyoxypolypropylene is hereby elected. The claims readable on that elected specie are all of the pending Claims, namely Claims 1, 4-12, 15, 17-25, 31, 35, 38, 41 and 133-141.

Enclosed herewith is a petition for a one-month extension of time to respond under 37 C.F.R. §1.136(a) and a check in the amount of \$60.00 for the extension fee under 37 C.F.R. §1.17(a), based on small entity status. No other fees are believed to be due with this communication. If any other fees are due with this communication, debit such fees to Deposit Account No. 50-1419. Credit any over-payments to Deposit Account No. 50-1419. Should the filing of this communication require an additional extension of time under 37 C.F.R. § 1.136(a), such additional extension is requested and any deficiency in payment of extension fees should be debited to Deposit Account No. 50-1419.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

Date: February 8, 2006

By: Ross E. Breyfogle

Ross E. Breyfogle, Esq.

Registration No. 36,759

3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

Phone: (303) 338-0997